IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants:	Tanzillo et al.
Serial No:	10/726,023
Filed:	2 DEC 2003
Title:	ENTERPRISE RISK ASSESSMENT MANAGER SYSTEM
Art Unit:	3692
Examiner:	Nga B. Nguyen
Customer No.:	27623

Docket No.: 384.7854USU

REPLY BRIEF (37 C.F.R. 41.41)

Mail Stop Appeal Brief – Patents
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Appellants are submitting the present Reply Brief in response to an Examiner's Answer dated 9 OCT 2007 (hereinafter "the Examiner's Answer").

The Examiner's Answer does not raise any new grounds of rejection of the claims, however the Examiner does raise new points of argument. This brief is directed only to the new points of argument.

Below, Appellants are discussing aspects of claims 5, 6 and 15. Each of claims 5, 6 and 15 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,405,181 to Lent et al. (hereinafter "the Lent et al. patent").

Claim 5

Claim 5 provides for a computer system for assessing risk. The computer system includes, *inter alia*, a common decisioning component that automatically provides a credit decision based on ... user-defined rules and/or policies.

The Examiner's Answer, on page 12, with regard to claim 5, refers to the Lent et al. patent col. 4, lines 18 - 37, and states:

> Underwriter 110 receives data from the parsing engine and <u>evaluates the data to determine if the applicant should receive for the offer of credit</u>. The Underwriter makes <u>an underwriting decision based on an analysis</u> of the credit bureau. (Emphasis is included in the Examiner's Answer).

The Lent et al. patent, with reference to FIG. 1, describes a system that includes an application engine 104 (col. 3, line 55), a parsing engine 106 (col. 3, line 65), and an Underwriter 110 (col. 4, line 15). Application engine 104 creates an application by prompting an applicant for data and storing the entered data (col. 3, lines 55 - 57). The application includes applicant data such as the applicant's address and social security number (col. 3, lines 62 - 64). Once created, the application is received by parsing engine 106, which parses the applicant's name and address (col. 3, lines 64 - 66). The applicant is given an opportunity to view how the data submitted has been parsed and to make corrections to the parsed data, if necessary (col. 4, lines 3 - 5). Underwriter 110 receives data from the parsing engine and evaluates the data to determine if the applicant should receive an offer for credit (col. 4, lines 18 - 20). Underwriter 110 is described in further detail in FIGS. 6A and 6B (col. 4, lines 26 - 27).

From FIGS. 1, 6A and 6B, it appears that Underwriter 110 is a component of the system being described by the Lent et al. patent. Moreover, the Lent et al. patent emphasizes that the decision made by Underwriter 110 is made without human intervention (col. 8, lines 63 - 66). As such, Underwriter 110 is not a user of the system.

Moreover, with regard to "user-defined" rules or policies, Appellants have not found any passage in the Lent et al. patent describing user-defined rules and/or policies.

Accordingly, whereas:

(A)   in the Lent et al. patent,

    (i)   the <u>applicant appears to provide only applicant data</u> such as the applicant's address and social security number,

    (ii)   Underwriter 110 is a component of the system, <u>not a user</u> of the system, and

    (iii)   the decision made by Underwriter 110 is made <u>without human intervention</u>; and

(B)   Appellants have not found any passage in the Lent et al. patent describing <u>user-defined</u> rules and/or policies,

Appellants submit that the Lent et al. patent does not disclose a common decisioning component that automatically provides a credit decision based on ... **user-defined rules and/or policies**, as recited in claim 5. Thus, Appellants further submit that the Lent et al. patent does not anticipate claim 5.

Claim 6

Claim 6 depends from claim 5 and further recites that said common decisioning component comprises a setup component that receives said user-defined rules and/or policies.

The Examiner's Answer, on page 13, with regard to claim 6, refers to the Lent et al. patent col. 4, lines 18 - 37, and states:

> Underwriter 110 receives data from the parsing engine and <u>evaluates the data to determine if the applicant should receive for the offer of credit</u>. The Underwriter makes <u>an underwriting decision based on an analysis</u> of the credit bureau. (Emphasis is included in the Examiner's Answer).

Thus, with regard to claim 6, the Examiner's Answer refers to the same passage of the Lent et al. patent as cited with regard to claim 5.

However, as explained above in support of claim 5,

(A)   in the Lent et al. patent,

(i)   the <u>applicant appears to provide only applicant data</u> such as the applicant's address and social security number,

(ii)   Underwriter 110 is a component of the system, <u>not a user</u> of the system, and

(iii)   the decision made by Underwriter 110 is made <u>without human intervention</u>; and

(B)   Appellants have not found any passage in the Lent et al. patent describing <u>user-defined</u> rules and/or policies,

Thus, Appellants submit that the Lent et al. patent does not disclose that said common decisioning component comprises a setup component that receives said **user-defined rules and/or policies**, as recited in claim 6. Accordingly, Appellants further submit that the Lent et al. patent does not anticipate claim 6.

Claim 15

Claim 15 provides for a computer-implemented method of assessing risk. The method includes, *inter alia*, providing automated credit decisioning ... based on at least one user-defined rule and/or at least one user-defined policy.

The Examiner's Answer, on page 14, with reference to claim 15, refers to the Lent et al. patent col. 4, lines 18 - 37, and states:

> Underwriter 110 receives data from the parsing engine and <u>evaluates the data to determine if the applicant should receive for the offer of credit</u>. The Underwriter makes <u>an underwriting decision based on an analysis</u> of the credit bureau. (Emphasis is included in the Examiner's Answer).

Thus, with regard to claim 15, the Examiner's Answer refers to the same passage of the Lent et al. patent as cited with regard to claim 5. Additionally, the Examiner's Answer, on page 14, further states:

> Thus, the credit decision is based on the policy defined by the Underwriter.

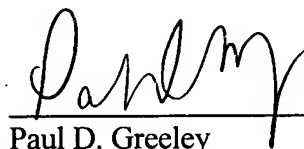As explained above in support of claim 5,

(A)   in the Lent et al. patent,

(i)   the <u>applicant appears to provide only applicant data</u> such as the applicant's address and social security number,

(ii)   Underwriter 110 is a component of the system, <u>not a user</u> of the system, and

(iii)   the decision made by Underwriter 110 is made <u>without human intervention</u>; and

(B)   Appellants have not found any passage in the Lent et al. patent describing <u>user-defined</u> rules and/or policies.

Moreover, since the credit decision is based on the policy <u>defined by the Underwriter</u>, as noted in the Examiner' Answer, Appellants submit that the Lent et al. patent does not disclose providing automated credit decisioning ... based on at least one **user-defined** rule and/or at least one **user-defined** policy, as recited in claim 15. Accordingly, Appellants submit that the Lent et al. patent does not anticipate claim 15.

Respectfully submitted,

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Date

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